

The Leesburg Planning Commission met on Thursday, March 3, 2005 in the Council Chambers, 25 West Market Street, Leesburg, Virginia. Staff members present were Wade Burkholder, Brian Boucher, Christopher Murphy, Susan Swift, Mac Willingham, David Fuller, Bruce Douglas, Steve McGreggor, Nick Colonna, and Linda DeFranco.

### **CALL TO ORDER**

The meeting was called to order at 7:00pm by Chairman Vaughan.

### **PLEDGE OF ALLEGIANCE AND ROLL CALL**

Present: Chairman Vaughan  
Commissioner Barnes  
Commissioner Hoovler  
Commissioner Jones  
Commissioner Kalriess  
Commissioner Wright

Absent: Commissioner Bangert

Prior to the adoption of the agenda, Chairman Vaughan took a moment to remember Susan Dietrich Rutherford, a former Commission member, who recently passed away.

### **ADOPTION OF AGENDA**

Commissioner Hoovler moved to adopt the agenda as presented.

Motion: Hoovler  
Second: Kalriess  
Carried: 6-0.

### **APPROVAL OF MINUTES**

Commissioner Wright moved to adopt the minutes of the February 17, 2005 meeting as presented.

Motion: Wright  
Second: Hoovler  
Carried: 5-0-1

Commissioner Kalriess abstained from the vote.

**BRIEFING**

Chairman Vaughan reminded the Commission that there would be a joint meeting of the Planning Commission and Town Council on Tuesday, March 8 regarding TLSE 2004-29, Loudoun County High School Expansion and Renovation. Wade Burkholder, Planner offered to answer any questions the Commission might have. There were no questions.

**CHAIRMAN'S STATEMENT**

Chairman Vaughan reviewed the remainder of the agenda for the members of the public.

**PETITIONERS**

Sandy Kane, 815 Kenneth Place came forward to oppose the proposed commercial use of the Kincaid Forest rezoning. She would like to see this property used for townhouses feeling that this use would have the least impact on additional traffic. Since this parcel is near the recreation center, a commercial use would pose a danger for children on bikes. The residential use would provide more tree save area. The number of children that would potentially live in this area is not going to have that much of an impact on the various schools that would be affected. If this is built commercially, then it should be more for office building than commercial retail. She asked that the community not be further split by adding a "strip mall". Ms. Kane went on to say that Mr. Jordan has worked in this community to add trees and other landscaping that was not provided by the original builder.

Ken Reid of 607 Talmadge Court, came forward to address the draft town plan. He explained how he had participated in some of the various visioning sessions that were held with regard to the plan. He is also a member of the Environmental Advisory Commission and participated through the briefings provided to that Commission. When he received a copy of the draft town plan, he was taken aback. He felt that a lot of the recommendations brought up during the various meetings did not make the final cut. He understands that council has speeded the process up especially with the Meadowbrook application coming in and the JLMA plans. He was surprised to see in the plan that the corner of Rt. 15 and Evergreen Mill Road is still planned for mixed use. He said that the economic development land use is not clearly defined. The draft lacks specificity and has some errors. The bus map is incorrect. He wanted to bring these points to the Commission's attention. He hopes that the new plan has more specificity. What areas will be preserved, and how will other areas be used.

Chairman Vaughan thanked Mr. Reid and said there will be ongoing discussions on the Plan. There are some things that were missed, and that is the purpose for the discussions. He asked Mr. Reid to let the Commission know if things are missed.

Mr. Reid responded that things that he recommended didn't make it into the plan, perhaps because no one else wanted it. He would have liked to have seen a list of comments from

the other Commissions. There is no mention of what is going to happen with the Leegate property.

Susan Swift said that the website has the comments that were made by the citizens and the various Commissions. Mr. Reid thanked Ms. Swift and said he hoped that they were not rushing through this too quickly.

Mayor Umstatt said that several citizens told her that this draft does not include what they had asked for and in some cases went the opposite direction. The EDC has stressed that some land should be set aside for office/light industrial use and these things will be taken into consideration as this draft plan moves through the process.

Dan Maticic, 955 Rhonda Place, came forward to offer his support for the residential zoning on the parcel at the corner of Kincaid Forest Boulevard and Battlefield Parkway. He felt that the current residents would like to see more neighbors rather than a commercial site that will create many problems with regard to traffic, safety, and aesthetics. He said that many residents had sent in emails asking to keep this residential.

There were no additional speakers and Chairman Vaughan closed the Petitioners' Session at this time.

### **PUBLIC HEARINGS**

#### **TLSE 2004-04 Potomac Station Convenience Store with gas pumps and car wash 601 Potomac Station Drive, NE – Wade Burkholder, Planner**

Chairman Vaughan asked the applicant to come forward and present the application.

Christine Gloeckner of Walsh Collucci came forward and first told the Commission that the property had been posted and that the affidavit had been filed. She then went on to describe the application which is for a gas station and car wash. She pointed to the exact location on a vicinity map. This pad site can accommodate the traffic in the area and she went on to point out the circulation on the site along with landscape plans. The elevation plans for the store and carwash indicated a brick structure. She referenced the H-2 corridor and said the applicant had agreed with the conditions of the staff report.

Wade Burkholder presented the staff report. This is a special exception application for a convenience store, carwash and fuel pump islands. It complies with the zoning for the area and the town plan use of the area. Recommended conditions of this application include substantial conformance, lighting, sidewalk, grease interceptor, no modifications, granted or implied and BAR review. Lastly screening the dumpster and mechanical equipment and making sure that there is sight clearance on the site for traffic purposes. Staff recommends approval of this special exception.

There were no speakers for this public hearing. Chairman Vaughan reminded everyone that the public hearing will be open for the next ten days and will be on the March 17 Planning Commission Agenda for vote.

Commissioner Barnes asked about the police concern regarding the lighting being blocked by the trees. Mr. Burkholder replied that they will need to review the types of trees that will be used to make sure that they don't block out the light.

Mayor Umstattd asked about the location of the fuel pumps. They look like the same kind of set up as the station on Market Street. The Shell station on East Market causes a backup onto East Market if there is a truck delivering fuel. She asked if the entrance at this station would cause the same type of problem. Mr. Burkholder said this would not happen here because of the location of the fuel tanks. Mayor Umstattd asked about boilerplate language. With regard to the condition, "No Modifications Granted or Implied", she feels that the language that follows contradicts itself. She asked staff to please make the necessary change so that this reads differently. She felt that any court would side with the developer unless this language is changed. Brian Boucher said he felt the paragraph is being misinterpreted, and that the zoning ordinance does not allow for any modifications.

Commissioner Hoovler requested that the lighting under the canopy is appropriate for this location. He asked if the BAR will be looking at the lighting. Mr. Burkholder said that the lighting, architecture and landscaping will all be reviewed by the BAR. Mr. Hoovler then asked if any of the utilities will be on the top of the building. Ms. Gloeckner said there will be rooftop equipment, but it will be screened. He asked that this be made one of the conditions to make sure that the proper screening is put in place.

Commissioner Kalriess asked about the tree replanting on Battlefield Parkway and how long a bond is effective subsequent to certificate of occupancy. Is the bond released at time of occupancy? Brian Boucher said they don't release the bonds that quickly. Mr. Kalriess said he had some concerns about seasons and when the planting might occur. He then asked who was responsible for street trees. Mr. Boucher said that this had recently been put into the ordinance. Prior to this, the trees were on private property. Mr. Kalriess stated that the plan currently shows a twenty year or so canopy and he felt that blocking the lighting can be controlled to the type of trees and shrubs used to make sure that the branches are at a higher level. With regard to lighting, he would like to see that the issues of glare are addressed. He then asked if the dumpster location and safety issues had been addressed further. Currently the location of the dumpster is the best functional location. Mr. Kalriess also asked about the sidewalk. Mr. Burkholder said that the sidewalk came as a result of staff comments. There was also a question on whether split face block will be used on the building. Tom Whip of Dewberry came forward and said that the brick facing will be compatible with what was used at the rest of the shopping center.

Commissioner Jones reiterated the lighting and safety issues of the project. He said there has to be a way to work out the tree canopy and lighting and safety issues. He hopes that the town and the applicant can come to agreement on the landscaping.

Chairman Vaughan asked if there would be a place for people to detail their cars after they have gone through the carwash. Mr. Whip responded that there was one parking space that had a vacuum and air pump. Mr. Vaughan asked if someone wanted to dry their car off, where could they do that. Mr. Whip said they should go off site. Mr. Vaughan also asked if there was any auto repair planned for the site. The answer was no. Mr. Vaughan then asked how we determine what stores can stay open 24 hours. Brian Boucher said they take into consideration the location, nearby uses, etc.

Mayor Umstattd felt that another 24 hour facility was a good idea. She said it will serve a good purpose for commuters and those people possibly going to early meetings in locations toward DC.

Chairman Vaughan said the final vote will be on March 17<sup>th</sup> and invited the public to make any further comment on this prior to that meeting.

### **ZONING**

#### **TLZM 2004-006 – Kincaid Forest Concept Plan Amendment, Southwest corner of Battlefield Parkway and Kincaid Forest Boulevard – Wade Burkholder, Planner**

Wade Burkholder said he recently spoke with Virginia McGuire, a resident of Kincaid Forest, and is in support of this application. He also received several emails that were in support of the application. However, based on the failure of this application to comply with the 1997 Town Plan, staff still recommends denial. A memo has been submitted by Mr. Jordan regarding the affect on the schools and some of the capital improvements.

David Jordan, the applicant's representative, went back to these two issues. He spoke with Mr. Adamo regarding the schools impact. He didn't see this development as a major issue since more schools will be coming on line by the time this is built. In terms of the capital facilities charge in the amount of \$20,060 per dwelling, he feels that they can be worked out during the proffer procedure.

Commissioner Wright asked about the fiscal impact analysis, and wanted to know what the answer was on why they were so high. Mr. Jordan responded that there were some overpayments and some miscellaneous payments.

Commissioner Jones complimented Mr. Jordan for working so well with the citizens of the area. He said he will not support this since the Town Plan is supposed to be giving guidance. He has heard the term strip mall used too many times. There are other commercial uses that would be very compatible uses in the area. He has concern for the citizens in the area, but stated there is a need to balance our development. Those who consider the planning and zoning need to carefully look at the applications coming in and

make some important decisions regarding the future uses. The town is over ratio with regard to housing, so more commercial/business uses need to be created.

Commissioner Kalriess asked if they were going to comment first and then vote. Commissioner Wright responded that there can be further comment on the motion once it is made. Mr. Kalriess commented that he had viewed the tape of the last meeting, and has walked this property. His new house is near this development and he empathizes with the residents. He feels the fiscal impact analysis is fluff and that the proper comparisons were not used. The community has valid concerns over the safety of the site if it developed commercially. He commended Mr. Jordan for working well with the staff and the residents. Mr. Kalriess then brought up the comment of separation of the community and said he didn't think the town dictated the use of this particular parcel. He also reiterated that commercial uses can bring a community together if the proper stores are put in (e.g. Starbucks). Trees can certainly be integrated into commercial sites. This development does meet some requirements for completion of Battlefield Parkway, but he urged people to think about the CIP's and how land use is voted on. This decision will not change for many years and the money will be there to fund the CIPs if properly used. Meeting land use requirements and employment goals are paramount to maintaining a level tax base. For these reasons he will not vote for this application.

Chairman Vaughan reiterated Mr. Kalriess' comments and asked for a motion.

Commissioner Kalriess moved that the Planning Commission deny TLZM 2004-0006, Kincaid Forest Concept Plan Amendment.

Commissioner Wright said he also looked at the site, and has heard the comments from the community. While it was a hard decision, he can't support flipping this property to residential use. He doesn't feel that a convenience store will end up here and thinks that a high end commercial use will. He also didn't feel that the cost analysis was reflective and didn't feel that townhouses are positive on cashflow.

Moved: Kalriess  
Second: Hoovler  
Carried: 6-0

**TLSE 2004-0013 Retail Center greater than 100,000 square feet, situated at the northwest corner of Fort Evans Road and planned Battlefield Parkway NE -**  
Christopher Murphy, Senior Planner.

Mr. Murphy came forward and said he didn't have a report to present to the Commission at this time. He referred to the report provided on February 17 and said that the staff recommendation of denial still stands based on the recommendations of the town plan. He received some information, namely a photometrics plan, which still lacks detail on bank drive through canopies. He has some photographs on the banks' design and the restaurant and retail corner in the southeast portion has been replaced with an office building. The applicant is making an attempt to balance out the office space. The

applicant will be providing some further information this evening which has not been reviewed by staff.

Mike Banzhaf came forward with some boards and copies of some of the architectural. He stated that the fast food restaurant is gone, that some office space had been added, and a restaurant near the civil war site has been added. He pointed out that the parking is not as expansive as that at Costco. The ponds and landscaping lend themselves to a very attractive center for this area. They also offered to build more of Battlefield Parkway than originally planned. He spoke with Tom Mason, the Town's Director of Public Works and Engineering. There is no money to build the roads and it will take a long time to get it. If the town builds the road, there will be several disconnects until it is finished. The town plan does address finishing the transportation system and this can be accomplished through these special proffers. He then said that the use of the proposed application is addressed in the zoning ordinance and this complies. The questions that were asked didn't address anything in the zoning ordinance, they were mostly aesthetic. The ordinance does not require design review in this area. Currently the zoning ordinance seems to trump the town plan. The zoning ordinance could have been changed to ask for more office, but it wasn't. The zoning ordinance allows the use applied for even if the design is not what the Commission desires. He then introduced Mike Collier.

Mike Collier, applicant, said that despite what is legally required, he has made every effort to work with staff to incorporate desired design and use. They have made changes to the lighting plan to comply with the ordinance. There will be low lights near the front of the buildings. Photometrics of the bank drive through canopies were not included because the computer did not compute the effect of the lighting. With regard to office, this depends on what the market is and what can be put on the site. Two retail sites were replaced with a three story office building near the front of the site. The type of office use is essential. An example is doctors' offices, insurance, etc. versus other types of businesses. With respect to architectural use, they have tried to add brick, lowered the tower, and use color to break up the façade.

Mayor Umstadt commented on the suggestion that the town divert \$1 million away from completion of Battlefield Parkway between Route 7 and Kincaid is something she is not at all interested in. She said they are working with Frank Wolf to try and acquire additional funds for the completion of this road portion. She is very pleased with the office building that was added. Mr. Collier responded that if they four laned Battlefield along this development, there are ways through engineering that some costs can be cut, he did not want anyone to think they were trying to divert funds from other sections of the Parkway.

Commissioner Hoovler asked what the current pole height was for the lighting. Mr. Collier responded that the height of the poles was 28', but on a 3' pedestal. He also said they eliminated all of the three-head poles and made them two-head poles. Mr. Hoovler then asked how the excess parking that was in the previous plan was dealt with. Mr. Collier replied that without knowing what the uses are going to be, they really can't cut the parking at this point. Mr. Hoovler then asked staff how many spaces over they were

on the plan. Mr. Murphy responded that there had been some cut, but they still had some extra, exact number is not known.

Commissioner Kalriess stated that one of the key things being missed is that the Commission is trying to get higher wage jobs in Leesburg. The question about office space was addressed several weeks ago. He could support this application if the office space issue were addressed. This would make it easier to deal with town plan and land use policy.

Commissioner Jones thanked Mr. Collier for trying to work with the Commission and the staff on this. He agreed with Mr. Kalriess' statements, and isn't asking for a redesign, however he doesn't see how two retail centers that span over four football fields could be considered pedestrian friendly. The application is spread over 38 acres and the pedway is not comfortable. There is an opportunity to add offices and build an intimate shopping complex rather than spreading it over the hillside. Currently this looks like a big strip mall. This is a predominant site and more thought could go into it. Mr. Collier replied that they were substantially fully leased, and that the walkability was very comparable to the Reston Town Center. He thanked Mr. Jones for his comments and said that once this is built out, the look and feel will be there. Mr. Jones said the two large buildings were still at an elevation of 340 feet, and are still over four and a half football fields long.

Chairman Vaughan reiterated that the town as a whole is still looking for some strong employment centers. The addition of retail space is not the best use for future applications. The office space that is being discussed this evening is not a part of the application, therefore he is against this application as it is being submitted.

Commissioner Wright said the minimum office called for in the plan in a B-2 site is 30%. This application has 10%. Retail is 15% so the current retail should be reduced. The application is out of compliance with the Town Plan. Why can't the buildings have first floor retail/restaurant and the other floors become office? Mr. Collier responded that this not feasible just to meet the criteria of the Town Plan. They are fully leased as this application has been submitted. To change the use now would not allow this to be developed for years. He thought the addition of the office space that they offered was good and would bring this application closer to compliance with the Town Plan. Mr. Wright then asked how many smaller stores there would be. Mr. Collier said it represented about twenty tenants.

Chairman Vaughan said that there are seven additional staff comments to consider should this go to motion.

Commissioner Kalriess moved that they not vote on this application tonight. He said that the applicant has been working with the staff and the Commission and would like to see the discussion continued. If some of the concerns can be addressed relative to the B-2 zoning perhaps they could come closer to agreement.



There was some discussion on whether a formal motion had been made. It was stated that a motion was not necessary if there was a consensus to continue discussion on this.

Commissioner Hoovler believes that the applicant has come a long way with this, but there is an impasse regarding more office space.

Commissioner Jones mentioned the need for more office space, and also there are some pad sites that could be changed from restaurants to office complexes. He felt they should provide the applicant another opportunity to comply with the Town Plan.

Commissioner Kalriess asked if there would be flexibility relative to the percentage if they reach a threshold of office on the site. There is shared parking ability so the density could increase.

Mike Banzhaf said that the retail is at 100K s.f. by right. Beyond that, they have tried to balance retail and office to come closer to what the plan calls for. He said Mr. Collier would like to work with them, but there needs to be clear communication. Mr. Kalriess said he was not suggesting that, he was looking for some flexibility. Mr. Banzhaf said this is a by right use and they can ignore the plan or change it. Mr. Kalriess said they are trying to mitigate the impact and still meet the intent of the Town Plan. Mr. Banzhaf said in order to get the proffers of the additional tank site and the road construction/improvements to Battlefield Parkway, there has to be some near term revenue coming in, not long term revenue. He said he knows what the Plan says and what the Zoning Ordinance says and they will stick to that. He would like to move this to Council level as quickly as possible. He would like to see discussion moved out two weeks.

Chairman Vaughan said he is hearing that the improvements can't be made unless the retail space remains as is. He feels that the Commission would want to move forward on this decision tonight. Mr. Collier said that to meet the requirement of the Plan this would have to be office park with incidental retail. If the condition for approval is more office space, they can't do that. He would like to move this on to council because of the ability to build this by right and the tenancy issues.

Commissioner Jones said that Mr. Wright's statement to provide 28,000 feet of office space over and above the retail and restaurant was a good compromise. We're saying do your retail, but provide more office space. He thinks this would be a good leasing opportunity. Mr. Collier explained why this was not feasible and pointed out some areas where he could add some office.

Commissioner Wright asked if they reach a 50/50 office/retail it still doesn't comply with the Town Plan. Do they disregard the plan or amend the plan?

Mike Banzhaf said there was 100K s.f. by right and there are other permitted uses such as bank and retail. If you also have 100K s.f. for office you have a 50/50 split. This puts it one per one over the base and this complies with the Town Plan.

Commissioner Hoovler asked about the excess parking spaces and if any of those could be converted to office space?

Commissioner Barnes asked if specific square footage was being offered and exactly what that would be. Mr. Banzhaf replied that he was just talking off the top of his head. Mr. Collier showed how the space could be moved around the plan hypothetically.

Chairman Vaughan said they still do not have all of these offerings in the application. Perhaps they need to pull this application and reapply.

Mr. Banzhaf said the Town Plan is a guide and not a rule. The parcel is zoned differently from what the plan recommends, so basically they can move forward with their project. Perhaps they should come back in two weeks. Mr. Collier said the staff could make recommendations to approve this with conditions. With the exception of the one condition on the entrance, all others are acceptable and they are willing to reword the application to bring it forward. If a conditions added to have 100k s.f. of office, then the rest would come closer to the Plan.

Susan Swift said the office building in the north was 40k s.f., was this to have structured parking? Are they expanding the acreage to include this 40k s.f. into the office space plan. Yes. Ms. Swift then asked if they are proposing another 40k s.f. to come up with their 100k number? She said if there is this much of a change, they need to redraw this one more time for clarification. She also had some topography questions.

Commissioner Kalriess had an issue on the by right and if they did that, then are they splitting parcels and doing cross lot easements? If they asked for phasing putting in a reservation for future office to get over the threshold, would that help make this project work? Lastly how can they deal with the issue of weighing this application but vote in a way that would not go against the Town Plan but would weigh competing objectives in the Plan to move this forward?

Commissioner Wright thanked the applicant for trying to work with them. They need an interpretation of the plan and what can be done by right. If it's the intent of the commission to delay for another two weeks, then the staff needs to get an analysis of the Town Plan and if it isn't in compliance then what does the Commission need to amend in the Town Plan to help make it work.

Mr. Banzhaf asked that this go to Council in April and that this be put on the agenda for March 17. Susan Swift said that March 17 has the Meadowbrook hearing so that night may not be realistic. The time frame would not allow for proper staff review. On the 24<sup>th</sup> of March, there is a review of Crosstrails and Creekside, so this might be a better date.

Mayor Umstattd said she thinks there has been some progress and is interested in the match of retail to office. If this is denied, this may not happen. She thinks the tiered office in the rear of the property would be very attractive.

Mr. Banzhaf said that he was not aware that the Commission met on the 24<sup>th</sup>. Susan Swift said this was a special meeting and would afford the time to go over this application.

Commissioner Hoovler asked what the timeframe would be if the town plan were amended. Susan Swift responded that this is lengthy and is further complicated by the fact that we are now in the middle of adopting the new Town Plan.

Commissioner Barnes asked how quickly can they turn this around and get it back to staff for review. Mr. Banzhaf said probably within the week.

Commissioner Jones moved to defer the following applications to the meeting of March 24, 2005, TLSE2004-0013, TLSE 2004-014 and TLSE 2004-015.

Motion: Jones  
Second: Barnes  
Carried: 6-0

### **COMPREHENSIVE PLANNING**

David Fuller, Chief of Comprehensive Planning, came forward and commented that the Commissioners had some consensus items included in their packets regarding the Natural Resources, Parks and Recreation, Historic Resources and Community Development presentation that was made at the last meeting.

Mr. Fuller then went over the various objectives.

Natural Resources, Objective #1 – regarding water and sewer service - very political  
Objective 10 – regarding watershed; Objective 11 – preservation of historic trees – yes  
Objective 12 - landscaping of medians – yes; Objective 13 – plantings on top of parking garages – treat as interior landscaping, not worth adding time.

Parks and Recreation – Objective #3, regarding the cost of facilities

Heritage Resources, Objective #5, cultural arts – Commissioner Wright said to make sure they included Mr. Hoovler's wish list which included festival sites, museums, and other art buildings; Objective #6, demolition of heritage resources should be prevented.

Community Design, Objective 3, – community design should be compatible with existing development – this could perpetuate bad design. There was some discussion on how this affects pad sites. This needs to be addressed with some consideration rather than controlled under a blanket statement.

The Mayor had one comment on the watershed proposal, when they were fighting the power plant, one of the most compelling arguments made was that on the site any industrial use could impact three different watersheds.

Commissioner Jones said that a watershed is a use of land that doesn't change. Everything impacts these watersheds. Planning land use is important on this impact. Currently we do not measure watershed capacity, therefore exceeding this capacity is quite possible. Using this as a planning tool could be very beneficial in years to come.

David Fuller then briefed the Commission and told them that presentation would be made regarding the Housing Element and the Economic Development Element.

Chairman Vaughan reiterated comments made during the Petitioners Session regarding the collection of comments and ensuring their inclusion appear in the rewrite of the Plan. Those people that have looked at the draft town plan so far feel that it lacks substance.

Mayor Umstattd commented that the people feel there is a consensus that various visioning sessions were not included and that the Plan goes in an opposite direction. Mr. Fuller said he has also received comments and they are currently reviewing them. Mr. Vaughan asked about the comment regarding the plan going in the opposite direction. The Mayor responded that people that contacted her are in the SW quadrant of town and feel that the proposed Town Plan plans the Leesburg South area in the same way the current plan does. If that's the case, we haven't done what we assured citizens we would do, which is to take their concerns into account when we write the draft Town Plan. Ken Reid didn't get too specific on when he felt his comments weren't included, and he couldn't find any record of them. She doesn't know what his concerns were, but feels he will share his concerns with some of the residents of the SW area. The Mayor also feels that we haven't done a good job of incorporating the concerns of the Economic Development Commission in saying we need to preserve our empty land base for office use. The Commission is doing a good job, but she is not sure that the Town Plan does that. Mr. Fuller said that the briefing on the land use will be at the next meeting. He said they will include the comments in the matrix.

Chairman Vaughan said another issue that has been brought to his attention is preserving land for biotech. Should there be a district identified for biotech or should it be integrated. He feels there should be a specific district. There should be some discussion on whether this should be done and if so, where. The Mayor commented that biotech can go into various areas, the industrial and/or commercial, or should a special area be designated. This would then specify that biotech only could go there. She feels that they should be integrated into other similarly designated areas. She cautioned that when the biotech is ready to move, they will want to move quickly and we should be prepared.

Chairman Vaughan asked where citizens can find the background information. Mr. Colonna replied that it is available on line, or at the office.

Nick Colonna gave a presentation on Economic Development. He emphasized the strengths of the area which include county government functions, historic district, regional retail opportunities, and the close proximity to high technology, education and research and development centers. Finding compatibility is of high importance. Carefully plan the uses around the airport. Is residential the best use, or should this be designated as a business area. How about the historic district? Make sure you keep the uses that surround that area in line with what is already there. The Action Plan is to draw in education, business to include biotech and make sure that the airport business is encouraged to flourish.

Commissioner Jones asked to see the elements of good economic development. There is a housing issue in Leesburg. There needs to be housing that works and there is an affordability issue. It will take some hard work, but it needs to happen. He would also like to see the Crescent District Master Plan incorporated into the Economic Development portion of the Town Plan. This is an important re-development plan.

Commissioner Kalriess asked a phrase be changed to read more clearly. He feels that this section lacks the punch that he would like to see. This was a key issue in the denial of the application tonight and they need to strengthen the section of the plan to say exactly why we are doing things the way we want to see them done. There should be no approval of applications that do not meet with the Town Plan. We should be encouraging development so that housing opportunities are provided through incentives or creative funding. Quality of life is not stressed, there should be more information in the diversified economic base. Speed the market is another important consideration. To make applications go through all of the various reviews and approvals, it will deter new building. Discussion on mixed use is not on target with comments that were made. This needs to be used carefully. Need to “underscore” or emphasize need for office.

Mayor Umstattd agreed with Mr. Kalriess and asked to have the land use map be put back up. She said what is being asked for and what the map shows are contradictory. It shows a lot of residential south of the airport. The land on Route 7 looks like it is being carved out just for the KSI use. She does not want to see any large tracts of land not set aside for office use. It doesn't seem to address the town's economic development needs.

Commissioner Wright also agreed with Mr. Kalriess, but emphasized that in the objectives, he would like to see the word priority enhanced with the word encourage. He also would like to see some of the industrial zoning come off Route 7 and move toward the airport. With regard to objective 2d, which discourages retail use unless it is integrated into a mixed use center, he would like some clarification. Mixed use development is not being well defined. It is leaving too much unsaid. Mr. Wright also asked about the ratios that the Economic Development Commission has set out. He is not sure if they are correct. He would like to see these reviewed and provide some more specificity. He then commented on how quickly applications move through the system.

Often applications that are what we want are discouraged because of the length of the review system. He would like to know how this can be changed. He referred to the application that came before the Commission this evening. That has now been put off for two weeks, will the applicant come back with what we want, does he even know what it is that we are looking for? Will this cause us to lose business? Can we draw biotech, or will the process deter them? We also need to address the capital projects as far as roads are concerned. Currently several applicants are saying that they will build portions of roads if their application is approved.

Mayor Umstattd asked whether there were any by right areas for wet labs. Susan Swift answered that it could fall into an industrial zone and said that she would look into this further. Commissioner Kalriess said that in many areas, wetlabs are in office parks.

Chairman Vaughan asked how Leesburg is positioned to attract biotech? Should it be addressed in this element, or land use? Mr. Colonna said it should be addressed in both areas. Susan Swift said that much of this is addressed in the Business Strategy plan which is referenced in the Town Plan.

Commissioner Jones stated that most success for an industrial base started with public land as an incubator or a public/private partnership. He used Winchester as an example. Owning real estate is a huge issue in this area. The State Economic Development Department touts areas that have a strong economic development base. If there is no available land for business and industrial, they will not promote that area. There should be an objective that addresses acquiring land and establishing a facility.

Commissioner Barnes asked is the autopark land along Rt. 7 could be used for industrial uses such as biotech. Susan Swift said currently this is zoned for an autopark, but currently most landowners along that strip are seeking mixed use.

Mayor Umstattd said that the entire corridor was for industrial/office use. They have now changed the zoning to attract office development.

Commissioner Wright pointed out that the land use policy map doesn't show school sites, smaller parks, etc. These should be depicted on the map to show that residential is not what we should put on these areas. Susan Swift commented that the zoning ordinance says that schools and parks can be put in residential areas, therefore they didn't depict these. They certainly can specifically put these in.

David Fuller, Chief of Comprehensive Planning gave some background information on the housing element of the Town Plan. The purpose of this element is to maintain the quality of residential areas and the housing stock within them. Also to provide a diverse housing supply that is adequate to meet population projections. The housing stock should reflect the character of the town, especially in the old and historic district. Housing and economic development go hand in hand. The area should provide places for employees to live. Housing for all income ranges should be encouraged. Land use is also an integral part of this element.

Commissioner Jones requested that the word “levels” be removed from the Goal statement in the draft Town Plan.

Mr. Fuller continued by referring to the land use map and pointing out some of the areas that are still available for additional residential development. He then reviewed the three objectives in the housing element, provide a diverse housing supply, maintaining the quality of residential areas, and encouraging housing for all income ranges.

Commissioner Barnes asked what affordable housing is in Leesburg? What would the cost be? Mr. Fuller responded that the general rule is that someone could buy or rent a house with 30% of their income. If a developer were to build 100 homes, how much would the cost of affordable units be? He feels that this cannot be done. Mr. Fuller said there are ways to fund this, and they need to be investigated. Mr. Barnes said that goals must be set and a direction taken to make this happen.

Susan Swift said workforce housing should be set aside and this is addressed in the Town Plan. Again, finding the appropriate methods and which ones are the best to pursue will be the challenge.

Commissioner Wright stated that there will be a level of housing that is needed. Affordability is one thing that is pushing people out of the area. If someone sells a house, it is difficult for them to replace it because of the current market. People who make a combined income of \$80K cannot find affordable housing, much less those that work in the retail market.

Mayor Umstattd stated what is really affordable is when a single worker can afford to live in Leesburg. Leesburg doesn't have rents around \$500/month anymore. The county has an affordable living ordinance. It was put in when there was a higher density issue, but she doesn't know if the development community is pushing selling a certain percentage of their houses at a reduced rate. In mixed use centers, the only jobs available are at the lower pay scale. There must be an effort to make sure the mixed use center contains businesses that pay a high wage. There need to be some things put into place such as proffer incentives, perhaps a cap on resale, etc.

Commissioner Barnes said that too many people will buy the lower cost housing and hold onto it and then sell at a high rate. A way to get around a resale is to rent the property out, the owner is the same, but the property is already costing more money than fits into the “affordable” definition.

Commissioner Kalriess said this is something that never goes by quickly. In objective 1, paragraph a, he doesn't like the word densities in there. Various areas can only absorb so much density, so the use of the word wouldn't be consistent. In objective 1 c “include medium and high density residential components in commercial developments as mixed use centers”. Define mixed use. The kind of product being built is a condo type development that attracts young professionals with services nearby. There must be a strong office component for these people to work in. One aspect of affordable housing is

that allows people to improve their economic condition. Limiting this is a double edged sword. Putting character and diversity into the housing architecture is important. This should be included in the town plan. Unfortunately now most houses have a similar look and feel, there is no variance in the style or architecture. Under Objective 3, paragraph i Use the word “creative funding” instead of outside funding. Offer tax incentives, density bonuses, etc.

Chairman Vaughan feels that one way affordable housing can be created is to educate people. People should be able to enter the market at a lower level and work their way up through the system. Education is an integral part of this. Lower end housing shouldn't be inferior housing, it should be comfortable housing.

Commissioner Wright feels that one problem right now is that the housing values are moving too rapidly. Something that is affordable now is rising faster than incomes are rising, cutting many residents out of upgrading.

Commissioner Kalriess said as a town you can only look at assessments, this is not a tax issue, it is a pricing issue.

Commissioner Jones said twenty years ago this discussion was taking place in the realty world. Workforce housing is not low income housing, but housing that crosses the strata of various professions. When he goes into local government offices, most of the people that make the decisions for Loudoun County and Leesburg live outside of the area. Many years ago the Market Station project was a block grant effort to put a mix of retail, business and residential in one area. This is a good mix and should be duplicated in other areas of town. The housing funding was set up so that there was a time period where the percentage of increase was capped. Again, let's do something about this, let's make it happen.

Commissioner Kalriess followed up by thinking about the economic engines being used in town right now. Do we carve out a proffer system to create a fund for affordable housing.

Commissioner Vaughan asked whether the Commission wanted to continue with the remainder of the meeting or adjourn at this point.

### **ADJOURNMENT**

The motion was made and seconded to adjourn at 11:57pm.

**Prepared by:**

**Approved by:**

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**Linda DeFranco, Commission Clerk**

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**Clifton Vaughan, Chairman**



